

**BEST AVAILABLE COPY**

Thomas J. Kenney, Esq.  
United States Attorney  
409 Post Office Building  
Baltimore, Maryland 21202

Dear Mr. Kenney:

Re: Eerik Heine v Juri Raus  
Civil Action No. 15952

At the hearing on the motion to dismiss on the above-captioned case, counsel for the plaintiff raised a question about Mr. Richard Helms' affidavit dated 22 April 1966, in which it was stated that, "The defendant was instructed to warn members of Estonian emigre groups that Eerik Heine was a dispatched Soviet intelligence operative, a KGB agent." Plaintiff's counsel claimed this could be read to imply that the defendant was instructed by someone other than the Central Intelligence Agency. This was not intended and Judge Thomsen did not so read it, but since this was a possible construction of the language he asked for a further statement to make the point absolutely clear.

Enclosed is such a statement in affidavit form by the Director. I would appreciate it if you would have Judge Thomsen note it and put it in the record on the motion to dismiss.

Sincerely,

SG:LRH

Lawrence R. Houston  
General Counsel

Enclosure

cc: [ ]

Ernest C. Raskauskas, Esq. NOTE FOR FILE: Mr. Kenney called Monday, 10 October, 10:30 a.m., to say he had received and filed the affidavit with the court today (10 Oct.).

DCI

✓SR

General Counsel

ER

OGC:LRH:jeb

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NAZI WAR CRIMES DISCLOSURE ACT  
DATE 2003 2006

LRHouston

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THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

ERIK HEINE,

Plaintiff,

v.

Civil Action No. 15952

JURI RAUS,

Defendant.

## AFFIDAVIT

Richard Helms, Director of Central Intelligence, first being duly sworn, deposes and says that:

1. In Paragraph 2 of my Affidavit dated April 22, 1966, which I executed as Deputy Director of Central Intelligence, I stated in part: The defendant was instructed to warn members of Estonian emigre groups that Erik Heine was a dispatched Soviet intelligence operative, a KGB agent.

2. The context of that statement means, I intended by that statement to convey, and I now so state: The defendant, Juri Raus, was instructed by the Central Intelligence Agency to warn members

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of Estonian emigre groups that Erik Sivine was a dispatched Soviet intelligence operative, a KGB agent.

SIGNED

Richard Holmes

STATE OF VIRGINIA )  
                      } ss.  
COUNTY OF FAIRFAX )

Subscribed and sworn to before me this 7th day of October,  
1966.

Edward R. Dougherty, Jr.  
Notary Public

My commission expires 24 September 1969

(SEAL)